

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.45263 OF 2016

ORDER:

The first petitioner is stated to be the daughter-in-law and petitioners 2 to 4 are stated to be grand children of late Kurakula Venkatamma @ Musamma. The said Venkatamma was having land of an extent of Acs.3.18 guntas in Survey No.9 of Amaravaram Village, Khammam District. The husband of the first petitioner was the only son to the said Venkatamma and after the death of Venkatamma, he succeeded to the property. It is stated that during the lifetime of the husband of the first petitioner, the land was given on lease to Venkatappayya and after expiry of lease, the petitioners continued to be in possession of the property.

Now the official respondents want to acquire the said land and it is alleged that the respondents 4 to 8, claiming to be the owners of land, are trying to receive the compensation. It is the case of the respondents 4 to 8 that they are the absolute owners but not tenants as stated by the petitioners. The said dispute cannot be decided as the Award proceedings are stated to be pending before the second respondent.

In the circumstances, liberty is given to the petitioners as well as respondents 4 to 8 to appear before the second respondent during the Award proceedings and submit their documents. The second respondent shall consider the said documents and determine the persons entitled to receive compensation and if he is not in a position to determine the rights on the basis of the documents produced by the parties, it is open to the second respondent to take appropriate proceedings in accordance with law.

The writ petition is accordingly disposed of. Consequently, miscellaneous petitions, if any pending, in the writ petition shall stand closed. There shall be no order as to costs.

A.RAMALINGESWARA RAO, J

25.10.2017
pln

